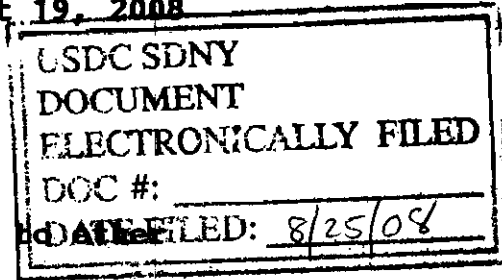


ANGEL MARTINEZ
03-A-6814
Arthurkill Correctional Facility
2911 Arthurkill Road
Staten Island, N.Y. 10309

Clerk of the Court
Att: District Justice Denny Chin, USDJ
Southern District of New York
500 Pearl Street
New York, New York 10007

August 19, 2008



RE: Request for an additional Time Extension due to Circumstances.

SUB: Martinez V. Breslin, 07-Civ. 8671 (DC).

Dear Honorable Justice D. Chin,

The basis of this correspondence is written to you and all parties concern in this matter. The issue at hand deals with the fact that this Honorable Court, namely you as the Judge, The Honorable Judge Denny Chin, granted this petitioner an extension of time to formulate and make a "Reply" brief in opposition to the Answering Affirmation and memorandum of law submitted by the office of the District Attorney.

This court permitted this petitioner until August 29, 2008 to file its Reply Brief. However, for new and independent reasons this petitioner is now seeking an additional extension of at least 60 days to Respond before this court and the Office of the District Attorney.

The reason for such request is made in that recently, this petitioner's co-defendant in the criminal case received a Reversal of the Criminal Charges due to a issue that was addressed by both of us. This co-defendant was sentence to a crime of Murder in the Second Degree while this writer was sentence to a lesser offense of Manslaughter, which gives rise to the fact that his criminal intent was even less than the co-defendant. This writer is attempting to obtain the transcripts and briefs of that case(of the co-defendant) to see whatr element and issue was addressed.

Clearly, this will take some time and may bring about submitting an additional argument before this court, or to some other forum.

Application GRANTED to the extent that petitioner's reply papers shall be served and filed by 10/31/08. FINAL. SO ORDERED.

[Signature]
USDJ 8/25/08

(2)

Briefs, motions, memorandums made be needed to present this argument which means additional time and manpower concerning this matter.

Clearly, for this reason an extension of time is needed.

Furthermore, this petitioner is also in the process of obtain private counsel to assist with the formulating of this argument and the perfection of this habeas corpus and any additional memorandums that becomes necessary. Therefore, for this reason it is respectfully requested that an additional time period be granted.

In llight of these unusal set of circumstances I am hereby requesting that this honorable court grant me an extension of time in accordance with the provisions of this court. and for such other and further relief as this court may deem just and proper as a matter of law.

Respectfully Yours;

Angel Martinez, Pro-Se

cc: Office of the District Attorney